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3
4 BILL NO. G-87-08-14 (as amended) (as amended)

5 GENERAL ORDINANCE NO. G- 16-87
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8 AN ORDINANCE OF THE COMMON COUNCIL OF THE
9 CITY OF FORT WAYNE, INDIANA AMENDING
10 CHAPTER 18 OF THE MUNICIPAL CODE ENTITLED
11 "OFFENSES - MISCELLANEOUS", BY ADDING
12 A NEW ARTICLE ENTITLED "NOISE CONTROL".
13

14 WHEREAS, there is a need to reasonably regulate
15 excessive noise because of the serious hazards which it can
16 cause to public health, safety, welfare, and the quality of
17 life; and
18

19 WHEREAS, there is currently an Indiana State
20 statute which prohibits disorderly conduct, defined as "a
21 person who recklessly, knowingly or intentionally makes
22 unreasonable noise and continues to do so after being asked
23 to stop"; and
24

25 WHEREAS, there is currently no City Ordinance which
26 prohibits disturbance of the peace, except for motor vehicle
27 noise; and
28

29 WHEREAS, local enforcement through ticketing of
30 offenders will discourage noise pollution and create a more
31 livable condition in the City of Fort Wayne, Indiana; and
32

33 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
34 COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

35 SECTION 1. That chapter 18 of the Municipal Code
36 of the City of Fort Wayne, Indiana is amended by adding a new
37 Article II., entitled "Noise Control", which contains the
38 following language:

39 Sec. 18-50. Loud and raucous noise.

40 (a) Conduct prohibited. It shall be a violation of this
41 ordinance for a person to make any loud, raucous, improper,
42 unreasonable, offensive or unusual noise which disturbs,
43 injures or endangers the comfort, repose, health, peace or
44 safety of others within the City, and continues to do so
45 after being asked to stop by a law enforcement officer of the
46 City.
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2 PAGE TWO

3 (b) Illustrated enumeration. The following acts, among
4 others are declared to be loud, raucous or disturbing noises
5 in violation of this article, but such enumeration shall not
6 be deemed to be exclusive:

7 (1) Using, operating or permitting to be played, used
8 or operated, any radio receiving set, musical instrument,
9 phonograph, or other machine or device for the producing or
10 reproducing of sound in such manner as to disturb the peace,
11 quiet and comfort of the neighboring inhabitants or at any
12 time with louder volume than is necessary for convenient
13 hearing for the person who is in the room, vehicle or chamber
14 in which such machine or device is operated and who is a
15 voluntary listener. The operation of any such set,
16 instrument, phonograph, machine or device, in such a manner as
17 to be plainly audible to any persons on or in an adjoining
18 property, apartment, office, structure, sidewalk, or vehicle
19 shall be prima facie evidence of a violation of this article.

20 (2) Using, operating, or permitting to be played, used
21 or operated, any radio receiving set, musical instrument,
22 phonograph, loudspeaker, sound amplifier, or other machine or
23 device for the producing or reproducing of sound which is
24 cast upon the public streets for the purpose of commercial
25 advertising or attracting the attention of the public to any
26 building or structure.

27 (3) Yelling, shouting, hooting, whistling, or singing
28 on the public streets at any time or place so as to annoy or
29 disturb the quiet, comfort, or repose of persons in any
30 office or in any dwelling, hotel or other type of residence
31 or of any person in the vicinity.

32 (4) Using, operating or permitting to be played, used
or operated, any radio receiving set, musical instrument,
phonograph, or other machine or device for the producing or
reproducing of sound through external speakers on any public
transportation vehicle.

(5) The creation of any loud and raucous noise on any
street adjacent to any school, institution of higher
learning, church or court while the same are in use, or
adjacent to any hospital, which unreasonably interferes with
the workings of such institution, or which unduly disturbs
patients in the hospital, provided conspicuous signs are
displayed in such streets indicating that the same is a
school, hospital or court street.

(6) The use of any drum or other instrument or device
for the purpose of attracting attention by creation of noise
to any performance, show or sale.

(7) The participation in, or permitting of any parties
or gatherings which create loud or raucous noise.

PAGE THREE

Sec. 18-51. Penalties.

(a) Any person found in violation of any provision of this article shall be fined not less than twenty-five dollars (\$25.00). It shall be the duty of every home owner, hotel manager, tavern or inn keeper, the owner or manager of any business in the City of Fort Wayne, Indiana, or motor vehicle driver to prevent persons using property under their control from violating this ordinance.

(b) All fines shall be payable to the violations bureau located in the office of the City Clerk of the City of Fort Wayne, Indiana.

(c) All fines delinquent in payment for fourteen (14) calendar days or longer from the date of the violation will be double the original fine.

Sec. 18-52. Exemption.

Any event licensed, permitted or sponsored by the City of Fort Wayne, Indiana shall be exempt from the terms of this ordinance.

SECTION 2. This ordinance shall be in full force and effect from and after its passage and publication, and any and all necessary approval by the Mayor.

COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY.

Stanley A. Levine
Attorney for Common Council
Dated this _____ day of _____, 1987

Read the first time in full and on motion by Read, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee Regulation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ .M., E.S

DATE: 8-11-87 Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Henry, seconded by Read, and duly adopted, placed on its passage. PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	<u>0</u>	<u>1</u>		
<u>BRADBURY</u>	<u>✓</u>				
<u>BURNS</u>			<u>✓</u>		
<u>EISBART</u>	<u>✓</u>				
<u>GiaQUINTA</u>	<u>✓</u>				
<u>HENRY</u>	<u>✓</u>				
<u>REDD</u>	<u>✓</u>				
<u>SCHMIDT</u>	<u>✓</u>				
<u>STIER</u>	<u>✓</u>				
<u>TALARICO</u>	<u>✓</u>				

DATE: 8-25-87 Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. 9-16-87 on the 25th day of August, 1987,

ATTEST: Sandra E. Kennedy (SEAL) Mark E. GiaQuinta
SANDRA E. KENNEDY, CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of August, 1987, at the hour of 11:00 o'clock 7 .M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 31st day of August, 1987, at the hour of 4:00 o'clock P .M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

BILL NO. G-87- 08 - 14

GENERAL ORDINANCE NO. G- 16-87

AN ORDINANCE OF THE COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA AMENDING
CHAPTER 18 OF THE MUNICIPAL CODE ENTITLED
"OFFENSES - MISCELLANEOUS", BY ADDING
A NEW ARTICLE ENTITLED "NOISE CONTROL".

WHEREAS, there is a need to reasonably regulate
excessive noise because of the serious hazards which it can cause
to public health, safety, welfare, and the quality of life; and

WHEREAS, there is currently an Indiana State statute
which prohibits disorderly conduct, defined as "a person who
recklessly, knowingly or intentionally makes unreasonable noise
and continues to do so after being asked to stop"; and

WHEREAS, there is currently no City Ordinance which
prohibits disturbance of the peace, except for motor vehicle
noise; and

WHEREAS, local enforcement through ticketing of
offenders will discourage noise pollution and create a more
livable condition in the City of Fort Wayne, Indiana; and

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That chapter 18 of the Municipal Code of the
City of Fort Wayne, Indiana is amended by adding a new Article
II., entitled "Noise Control", which contains the following
language:

Sec. 18-50. Loud and raucous noise.

(a) *Prohibited.* No person shall make, continue or cause to be
made or continued any loud, raucous, improper, unreasonable,
offensive or unusual noise which disturbs, injures or endangers
the comfort, repose, health, peace or safety of others within the
city.

(b) *Illustrated enumeration.* The following acts, among others
are declared to be loud, raucous or disturbing noises in violation
of this article, but such enumeration shall not be deemed to be
exclusive:

1 (1) Using, operating or permitting to be played, used or
2 operated, any radio receiving set, musical instrument, phonograph,
3 or other machine or device for the producing or reproducing of
4 sound in such manner as to disturb the peace, quiet and comfort of
5 the neighboring inhabitants or at any time with louder volume than
6 is necessary for convenient hearing for the person who is in the
7 room, vehicle or chamber in which such machine or device is
8 operated and who is a voluntary listener. The operation of any
9 such set, instrument, phonograph, machine or device in such a
10 manner as to be plainly audible to any persons on or in an
11 adjoining property, apartment, office, structure, sidewalk, or
12 vehicle shall be prima facie evidence of a violation of this
13 article.

14 (2) Using, operating, or permitting to be played, used or
15 operated, any radio receiving set, musical instrument, phonograph,
16 loudspeaker, sound amplifier, or other machine or device for the
17 producing or reproducing of sound which is cast upon the public
18 streets for the purpose of commercial advertising or attracting
19 the attention of the public to any building or structure.

20 (3) Yelling, shouting, hooting, whistling, or singing on the
21 public streets at any time or place so as to annoy or disturb the
22 quiet, comfort, or repose of persons in any office or in any
23 dwelling, hotel or other type of residence or of any person in the
24 vicinity.

25 (4) Using, operating or permitting to be played, used or
26 operated, any radio receiving set, musical instrument, phonograph,
27 or other machine or device for the producing or reproducing of
28 sound through external speakers on any public transportation
29 vehicle.

30 (5) The creation of any loud and raucous noise on any street
31 adjacent to any school, institution of higher learning, church or
32 court while the same are in use, or adjacent to any hospital,
33 which unreasonably interferes with the workings of such
34 institution, or which unduly disturbs patients in the hospital,
35 provided conspicuous signs are displayed in such streets
36 indicating that the same is a school, hospital or court street.

37 (6) The use of any drum or other instrument or device for
38 the purpose of attracting attention by creation of noise to any
39 performance, show or sale.

40 (7) The participation in, or permitting of any parties or
41 gatherings which create loud or raucous noise.

42 Sec. 18-51. Penalties.

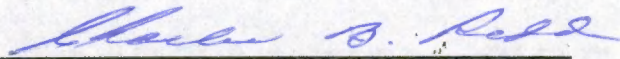
43 (a) Any person found in violation of any provision of this
44 article shall be fined not less than twenty-five dollars (\$25.00).
45 It shall be the duty of every home owner, hotel manager, tavern or
46 inn keeper, the owner or manager of any business in the City of
47 Fort Wayne, Indiana, or motor vehicle driver to prevent persons
48 using property under their control from violating this ordinance.

PAGE THREE

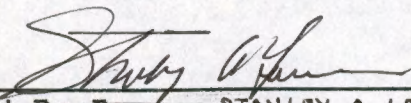
(b) All fines shall be payable to the violations bureau located in the office of the City Clerk of the City of Fort Wayne, Indiana.

(c) All fines delinquent in payment for fourteen (14) calendar days or longer from the date of the violation will be double the original fine.

SECTION 2. This ordinance shall be in full force and effect from and after its passage and publication, and any and all necessary approval by the Mayor.


COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY.


~~Donald B. Dorse~~ STANLEY A. LEVINE
Acting Attorney for Common Council
Dated this ____ day of ____, 1987

AMENDMENT TO BILL NO. G-87-08-14

AMENDMENT #1

Pass

Sec. 18-50. is hereby amended by deleting current subsection (a) and replacing it with the following language:

(a) Conduct prohibited. It shall be a violation of this ordinance for a person to make any loud, raucous, improper, unreasonable, offensive or unusual noise which disturbs, injures, or endangers the comfort, repose, health, peace or safety within the City, and continues to do so after being asked to stop by a law enforcement officer of the City.

No

Schmidt

Burns

AMENDMENT TO BILL NO. G-87-08-14

AMENDMENT #2

Paand

A new Sec. 18-52 is added with the following language:

Sec. 18-52. Exemption.

Any event licensed, permitted or sponsored by the City of Fort Wayne, Indiana shall be exempt from the terms of this ordinance.

no
Schmidt

BILL NO. G-87-08-14

As Amended
As Amended

REPORT OF THE COMMITTEE ON PUBLIC RELATIONS COMMITTEE

WE, YOUR COMMITTEE ON PUBLIC RELATIONS COMMITTEE TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) OF THE COMMON COUNCIL

OF THE CITY OF FORT WAYNE, INDIANA AMENDING CHAPTER 18, OF THE

MUNICIPAL CODE ENTITLED "OFFENSES - MISCELLANEOUS", BY ADDING A

NEW ARTICLE ENTITLED "NOISE CONTROL"

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)
(~~RESOLUTION~~)

YES

NO

THOMAS C. HENRY
CHAIRMAN

JANET G. BRADBURY
VICE CHAIRPERSON

BEN A. EISBART

CHARLES B. REDD

DONALD J. SCHMIDT

MARK E. GIAQUINTA

PAUL M. BURNS

SAMUEL J. TALARICO

JAMES S. STIER

CONCURRED IN 8-25-86

SANDRA E. KENNEDY
CITY CLERK



The City of Fort Wayne

September 3, 1987

Ms. Marily Romine
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Romine:

Please give the attached full coverage on the dates of September 8 and 15, 1987, in both the News Sentinel and Journal Gazette.

RE: Legal notice for Common Council
of Fort Wayne, IN

Bill No. G-87-08-14
(as amended) (as amended)
"Noise Control"

Please send us 4 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 1

LEGAL NOTICE

Notice is hereby given that on the 25th day of
August, 19 87, the Common Council of the City
of Fort Wayne, Indiana, in a Regular Session did pass
the following Bill No. G-87-08-14 (as amended) (as amended) General
Ordinance No. G-16-87 to-wit:

BILL NO. G-87-08-14 (as amended) (as amended)

GENERAL ORDINANCE NO. G- 16-87

AN ORDINANCE OF THE COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA AMENDING
CHAPTER 18 OF THE MUNICIPAL CODE ENTITLED
"OFFENSES - MISCELLANEOUS", BY ADDING
A NEW ARTICLE ENTITLED "NOISE CONTROL".

WHEREAS, there is a need to reasonably regulate
excessive noise because of the serious hazards which it can
cause to public health, safety, welfare, and the quality of
life; and

WHEREAS, there is currently an Indiana State
statute which prohibits disorderly conduct, defined as "a
person who recklessly, knowingly or intentionally makes
unreasonable noise and continues to do so after being asked
to stop"; and

WHEREAS, there is currently no City Ordinance which
prohibits disturbance of the peace, except for motor vehicle
noise; and

WHEREAS, local enforcement through ticketing of
offenders will discourage noise pollution and create a more
livable condition in the City of Fort Wayne, Indiana; and

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That chapter 18 of the Municipal Code
of the City of Fort Wayne, Indiana is amended by adding a new
Article II., entitled "Noise Control", which contains the
following language:

Sec. 18-50. Loud and raucous noise.

(a) Conduct prohibited. It shall be a violation of this
ordinance for a person to make any loud, raucous, improper,
unreasonable, offensive or unusual noise which disturbs,
injures or endangers the comfort, repose, health, peace or
safety of others within the City, and continues to do so
after being asked to stop by a law enforcement officer of the
City.

(b) Illustrated enumeration. The following acts, among
others are declared to be loud, raucous or disturbing noises
in violation of this article, but such enumeration shall not
be deemed to be exclusive:

13 Sec. 18-52. Exemption.

14 Any event licensed, permitted or sponsored by the City of
15 Fort Wayne, Indiana shall be exempt from the terms of this
16 ordinance.

17 SECTION 2. This ordinance shall be in full force
18 and effect from and after its passage and publication, and
19 any and all necessary approval by the Mayor.

20 Charles B. Redd
COUNCILMEMBER

Read the third time in full and on motion by Henry, seconded
by Redd, and duly adopted, placed on its passage. PASSED by the
following vote:

Ayes: Eight
Bradbury, Eisbart, GiaQuinta, Henry, Redd,
Schmidt, Stier, Talarico

Nays: None
Abstained: One

Burns
Absent: None

Date: 8-25-87

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of
Fort Wayne, Indiana, as General Ordinance No. G-16-87, on the
25th day of August, 1987.

ATTEST: (SEAL)

Sandra E. Kennedy
City Clerk

Mark E. GiaQuinta
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne,
Indiana, on the 26th day of August, 1987, at the hour of 11:00
o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 31st day of August, 1987,
at the hour of 4:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify
that the above and foregoing is a full, true and complete copy of

General Ordinance No. G-16-87,
passed by the Common Council on the 25th day of

August, 19 87, and that said Ordinance was
duly signed and approved by the Mayor on the 31st day of

August, 19 87, and now remains on file and
on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne,
Indiana, this 31st day of August, 19 87.

SEAL

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Fort Wayne Common Council

(Governmental Unit)

Allen

County, IN

To NEW-SENTINEL Dr.
P.O. BOX 100
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LEGAL NOTICE
Notice is hereby given that on the 25th day of August, 1987, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-87-08-14 (as amended) (as amended) General Ordinance No. G-16-87 to-wit: BILL NO. G-87-08-14 (as amended) (as amended)

GENERAL ORDINANCE NO. G-16-87
AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA AMENDING CHAPTER 18 OF THE MUNICIPAL CODE ENTITLED "OFFENSES - MISCELLANEOUS" BY ADDING A NEW ARTICLE ENTITLED "NOISE CONTROL".

WHEREAS, there is a need to reasonably regulate excessive noise because of the serious hazards which it can cause to public health, safety, welfare, and the quality of life; and

WHEREAS, there is currently an Indiana State statute which prohibits disorderly conduct, defined as "a person who recklessly, knowingly or intentionally makes unreasonable noise and continues to do so after being asked to stop"; and

WHEREAS, there is currently no City Ordinance which prohibits disturbance of the peace, except for motor vehicle noise; and

WHEREAS, local enforcement through ticketing of offenders will discourage noise pollution and create a more livable condition in the City of Fort Wayne, Indiana; and

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the chapter 18 of the Municipal Code of the City of Fort Wayne, Indiana is amended by adding a new Article II., entitled "Noise Control", which contains the following language:

Sec. 18-50. Loud and raucous noise.

(a) Conduct prohibited. It shall be a violation of this ordinance for a person to make any loud, raucous, improper, unreasonable, offensive or unusual noise which disturbs, injures or endangers the comfort, repose, health, peace or safety of others within the City, and continues to do so after being asked to stop by a law enforcement officer of the City.

(B) Illustrated enumeration. The following acts, among others are declared to be loud, raucous or disturbing noises in violation of this article, but such enumeration shall not be deemed to be exclusive:

(1) Using, operating or permitting to be played, used or operated, any radio receiving set, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound which is cast upon the public street for the purposes of commercial advertising or attracting the attention of the public to any building or structure.

(3) Yelling, shouting, hooting, whistling, or singing on the public streets at any time or place as to annoy or disturb the quiet, comfort, or repose of persons in any office or in any dwelling, hotel or other type of residence or of any person in the vicinity.

(4) Using, operating or permitting to be played, used or operated, any radio receiving set, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound through external speakers on any public transportation vehicle.

(5) The creation of any loud and raucous noise on any street adjacent to any school, institution of higher learning, church or court while the same are in use, or adjacent to any hospital, which unreasonably interferes with the workings of such institution, or which unduly disturbs patients in the hospital, provided conspicuous signs are displayed in such streets indicating that the same is a school, hospital or court street.

(6) The use of any drum or other instrument or device for the purpose of attracting attention by creation of noise to any performance, show or sale.

(7) The participation in, or permitting of any parties or gatherings which create loud or raucous noise.

Sec. 18-51. Penalties.

(a) Any person found in violation of any provision of this article shall be fined not less than twenty-five dollars (\$25.00). It shall be the duty of every home owner, hotel manager, tavern or inn keeper, the owner or manager of any business in the City of Fort Wayne, Indiana, or motor vehicle driver to prevent persons using property under their control from violating this ordinance.

(b) All fines shall be payable to the violations bureau located in the office of the City Clerk of the City of Fort Wayne, Indiana.

(c) All fines delinquent in payment for fourteen (14) calendar days or longer from the date of the violation will be double the original fine.

Sec. 18-52. Exemption.

Any event licensed, permitted or sponsored by the City of Fort Wayne, Indiana shall be exempt from the terms of this ordinance.

SECTION 2. This ordinance shall be in full force and effect from and after its passage and publication, and any and all necessary approval by the Mayor.

Charles B. Redd
COUNCILMEMBER

Read the third time in full and on motion by Henry, seconded by Redd, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Bradbury, Eisbart, GiaQuinta, Henry, Redd, Schmidt, Stier, Talarico
Nays: None
Abstained: One
Burns
Date: 8-25-87

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-16-87, on the 25th day of August, 1987.

ATTEST: (SEAL)
Sandra E. Kennedy
City Clerk

Mark E. GiaQuinta
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of August, 1987, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 31st day of August, 1987, at the hour of 4:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor
I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-16-87, passed by the Common Council on the 25th day of August, 1987, and that said Ordinance was duly signed and approved by the Mayor on the 31st day of August, 1987, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 31st day of August, 1987.

Sandra E. Kennedy
City Clerk

exceed two actual lines, neither of which shall total more than four solid lines
in the body of the advertisement is set) - number of equivalent lines

1

145

2

148

of lines in notice

1 148 columns wide equals 148 equivalent lines at .450¢ \$ 66.60

ices containing rule or tabular work (50 per cent of above amount)

2 extra

2.00

f publication (1.00 for each proof in excess of two)

INT OF CLAIM

\$ 68.60

5 picas

Size of type 6 point

2

Size of quad upon which type is cast 6

i. 89., Acts 1967.

just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same

Drusilla Roose

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Roose who, being duly sworn, says

that he/she is CLERK of the

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, two times

which was duly published in said paper for the dates of publication being

as follows:

9/8 - 9/15/87

Subscribed and sworn to me before this 15th day of September 19 87

Shelley R. LaRue Notary Public

March 3, 1990

My commission expires

Fort Wayne Common Council
(Governmental Unit)
Allen
County, IN

To JOURNAL-GAZETTE Dr.
P.O. BOX 100
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines	
Head	number of lines	1
Body	number of lines	145
Tail	number of lines	2
Total number of lines in notice		148

COMPUTATION OF CHARGES

148	1	148	.450¢	66.60
..... lines,		columns wide equals	equivalent lines at	\$.....
cents per line				
Additional charge for notices containing rule or tabular work (50 per cent of above amount)			
Charge for extra proofs of publication (1.00 for each proof in excess of two)			2 extra	2.00
TOTAL AMOUNT OF CLAIM				\$..... 68.60

DATA FOR COMPUTING COST

Width of single column 12.5 picas Size of type 6 point

LEGAL NOTICE

Notice is hereby given that on the 25th day of August, 1987, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-87-08-14 (as amended) (as amended) General Ordinance No. G-16-87 to-wit:

BILL NO. G-87-08-14 (as amended) (as amended)

GENERAL ORDINANCE NO. G-16-87 AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA AMENDING CHAPTER 18 OF THE MUNICIPAL CODE ENTITLED "OFFENSES - MISCELLANEOUS" BY ADDING A NEW ARTICLE ENTITLED "NOISE CONTROL".

WHEREAS, there is a need to reasonably regulate excessive noise because of the serious hazards which it can cause to public health, safety, welfare, and the quality of life; and

WHEREAS, there is currently an Indiana State statute which prohibits disorderly conduct, defined as "a person who recklessly, knowingly or intentionally makes unreasonable noise and continues to do so after being asked to stop"; and

WHEREAS, there is currently no City Ordinance which prohibits disturbance of the peace, except for motor vehicle noise; and

WHEREAS, local enforcement through ticketing of offenders will discourage noise pollution and create a more livable condition in the City of Fort Wayne, Indiana; and

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the chapter 18 of the Municipal Code of the City of Fort Wayne, Indiana is amended by adding a new Article II., entitled "Noise Control", which contains the following language:

Sec. 18-50. Loud and raucous noise.

(a) Conduct prohibited. It shall be a violation of this ordinance for a person to make any loud, raucous, improper, unreasonable, offensive or unusual noise which disturbs, injures or endangers the comfort, repose, health, peace or safety of others within the City, and continues to do so after being asked to stop by a law enforcement officer of the City.

(B) Illustrated enumeration. The following acts, among others are declared to be loud, raucous or disturbing noises in violation of this article, but such enumeration shall not be deemed to be exclusive:

(1) Using, operating or permitting to be played, used or operated, any radio receiving set, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound which is cast upon the public street for the purposes of commercial advertising or attracting the attention of the public to any building or structure.

(3) Yelling, shouting, hooting, whistling, or singing on the public streets at any time or place as to annoy or disturb the quiet, comfort, or repose of persons in any office or in any dwelling, hotel or other type of residence or of any person in the vicinity.

(4) Using, operating or permitting to be played, used or operated, any radio receiving set, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound through external speakers on any public transportation vehicle.

(5) The creation of any loud and raucous noise on any street adjacent to any school, institution of higher learning, church or court while the same are in use, or adjacent to any hospital, which unreasonably interferes with the workings of such institution, or which unduly disturbs patients in the hospital, provided conspicuous signs are displayed in such streets indicating that the same is a school, hospital or court street.

(6) The use of any drum or other instrument or device for the purpose of attracting attention by creation of noise to any performance, show or sale.

(7) The participation in, or permitting of any parties

or gatherings which create loud or raucous noise.

Sec. 18-51. Penalties.

(a) Any person found in violation of any provision of this article shall be fined not less than twenty-five dollars (\$25.00). It shall be the duty of every home owner, hotel manager, tavern or inn keeper, the owner or manager of any business in the City of Fort Wayne, Indiana, or motor vehicle driver to prevent persons using property under their control from violating this ordinance.

(b) All fines shall be payable to the violations bureau located in the office of the City Clerk of the City of Fort Wayne, Indiana.

(c) All fines delinquent in payment for fourteen (14) calendar days or longer from the date of the violation will be double the original fine.

Sec. 18-52. Exemption.

Any event licensed, permitted or sponsored by the City of Fort Wayne, Indiana shall be exempt from the terms of this ordinance.

SECTION 2. This ordinance shall be in full force and effect from and after its passage and publication, and any and all necessary approval by the Mayor.

Charles B. Redd
COUNCILMEMBER

Read the third time in full and on motion by Henry, seconded by Redd, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Bradbury, Eisbart, GiaQuinta, Henry, Redd,

Schmidt, Stier, Talarico

Nays: None

Abstained: One

Burns

Date: 8-25-87

Sandra E. Kennedy

City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-16-87, on the 25th day of August, 1987.

ATTEST: (SEAL)

Sandra E. Kennedy

City Clerk

Mark E. GiaQuinta

Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of August, 1987, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy

City Clerk

Approved and signed by me this 31st day of August, 1987, at the hour of 4:00 o'clock P.M., E.S.T.

Win Moses, Jr.

Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-16-87, passed by the Common Council on the 25th day of August, 1987, and that said Ordinance was duly signed and approved by the Mayor on the 31st day of August, 1987, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 31st day of August, 1987.

Sandra E. Kennedy

City Clerk

9-8-15

Shelley R. LaRue

September 87

day of 19

Shelley R. LaRue

Notary Public

March 3, 1990

My commission expires

Fort Wayne Common Council

(Governmental Unit)

Allen

County, IN

To NEW-SENTINEL Dr.
P.O. BOX 100
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head number of lines 1
Body number of lines 145
Tail number of lines 2
Total number of lines in notice 148

COMPUTATION OF CHARGES

148 lines, 1 columns wide equals 148 equivalent lines at .450¢ \$ 66.60
cents per line
Additional charge for notices containing rule or tabular work (50 per cent of above amount)
Charge for extra proofs of publication (1.00 for each proof in excess of two) 2 extra 2.00
TOTAL AMOUNT OF CLAIM \$ 68.60

DATA FOR COMPUTING COST

Width of single column 12.5 picas Size of type 6 point
Number of insertions 2 Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Drusilla Roose

Date Sept. 15 19 87

Title CLERK

FORM #903

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the
Drusilla Roose

undersigned who, being duly sworn, says

that he/she is CLERK of the

NEWS-SENTINEL

DAILY

a newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy,
two times

which was duly published in said paper for the dates of publication being

as follows:

9/8 - 9/15/87

Subscribed and sworn to me before this 15th day of September 19 87

Shelley R. LaRue Notary Public

March 3, 1990

My commission expires

Fort Wayne Common Council
(Governmental Unit)
Allen
County, IN

To JOURNAL-GAZETTE Dr.
P.O. BOX 100
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines		
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Charge for extra proofs of publication (1.00 for each proof in excess of two) 2 extra				2.00
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DATA FOR COMPUTING COST

Width of single column 12.5 picas	Size of type 6 point
Number of insertions 2	Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Drusilla Roose
CLERK

Date Sept. 15 19 87

FORM #904

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:
Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Roose who, being duly sworn, says that he/she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times the dates of publication being as follows:
9/8 - 9/15/87
Subscribed and sworn to me before this 15th day of September 19 87
Shelley R. LaRue
Notary Public

My commission expires March 3, 1990

Use one of 4 Fall Kick-Off Gifts valued up to \$10.00 with purchase of selected items while supplies last.

FREE GIFT

Football With Logo and team logo

use, or adjacent to any hospital, which unreasonably interferes with the workings of such institution, or which unduly disturbs patients in the hospital, provided conspicuous signs are displayed in such streets indicating that the same is a school, hospital or court street.

(6) The use of any drum or other instrument or device for the purpose of attracting attention by creation of noise to any performance, show or sale.

(7) The participation in, or permitting of any parties